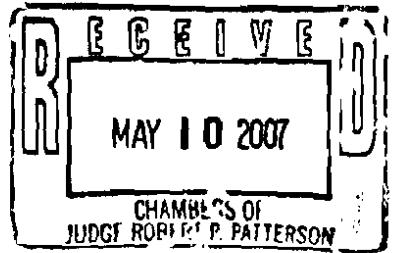


STRASSBERG & STRASSBERG, P.C.  
ATTORNEYS AT LAW



BY TELCOPIER (212) 805-7917

May 10, 2007

Honorable Robert P. Patterson, Jr.  
United States Judge  
United States District Court  
500 Pearl Street  
New York, New York 10007

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 5/10/07

Re: ES&G Trading, Inc. v. Sun Capital, Inc.  
United States District Court: Southern District of New York Case No. 07CV 3371 (RPP)

Dear Judge Patterson:

According to Florida counsel for Sun Capital, Inc., a settlement has been reached between the parties. Presuming everything goes according to plan, a settlement will be documented by next week, with a discontinuance of this action to follow shortly thereafter.

Currently, a conference is scheduled for tomorrow, May 11, 2007 at 10:00 a.m. I have orally advised Mr. Monteagudo of the impending settlement and he requested I write this letter, and suggest that we give ourselves several weeks to document the settlement.

If an adjourned date for the conference is required, I have confirmed May 25, 2007 with plaintiff's attorney, Mr. Morrison. Alternatively, if you do not require an adjourned date, I can update you on the status of the settlement as things progress.

Kindly have Mr. Monteagudo contact me regarding anything further that is required.

Very truly yours,

Robert Strassberg

cc: Lawrence Morrison, Esq. by email

Application granted  
Arraignment 5/25/07 at 9:30AM  
So ordered  
Robert P. Patterson, Jr.  
5/10/07